

[First Reprint]

**SENATE, No. 780**

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**STATE OF NEW JERSEY**  
**213th LEGISLATURE**

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INTRODUCED JANUARY 24, 2008

**Sponsored by:**

**Senator JOSEPH M. KYRILLOS, JR.**

**District 13 (Middlesex and Monmouth)**

**Senator THOMAS H. KEAN, JR.**

**District 21 (Essex, Morris, Somerset and Union)**

**Co-Sponsored by:**

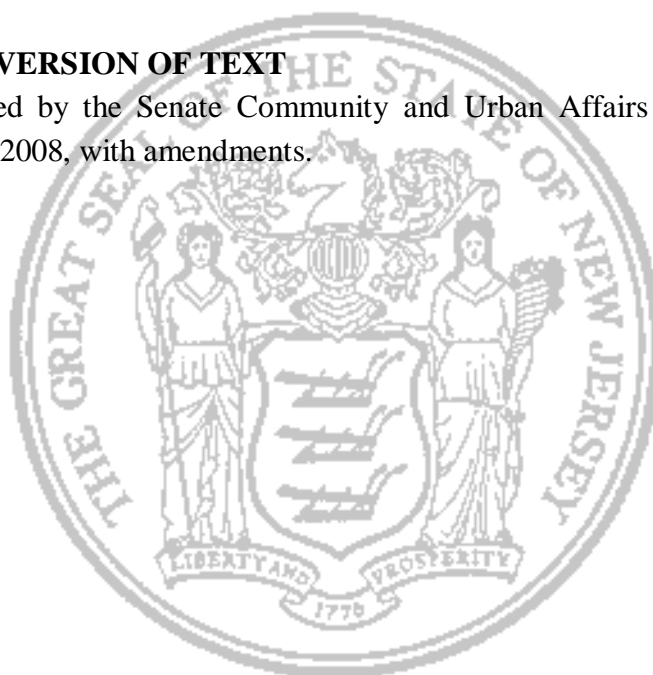
**Senators Connors, Vitale, Gordon and Madden**

**SYNOPSIS**

Exempts from realty transfer fees sales of homes of certain New Jersey members of the military.

**CURRENT VERSION OF TEXT**

As reported by the Senate Community and Urban Affairs Committee on December 8, 2008, with amendments.



**(Sponsorship Updated As Of: 1/14/2009)**

1 AN ACT concerning exemptions from realty transfer fees for certain  
2 New Jersey members of the military<sup>1</sup>and surviving spouses of  
3 deceased veterans of certain United States military operations<sup>1</sup>,  
4 amending P.L.1968, c.49.

5  
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
7 *of New Jersey:*

8  
9 1. Section 6 of P.L.1968, c.49 (C.46:15-10) is amended to read  
10 as follows:

11 6. The fee imposed by this act shall not apply to a deed:

12 (a) For a consideration, as defined in section (c), of less than  
13 \$100.00;

14 (b) By or to the United States of America, this State, or any  
15 instrumentality, agency, or subdivision thereof;

16 (c) Solely in order to provide or release security for a debt or  
17 obligation;

18 (d) Which confirms or corrects a deed previously recorded;

19 (e) On a sale for delinquent taxes or assessments;

20 (f) On partition;

21 (g) By a receiver, trustee in bankruptcy or liquidation, or  
22 assignee for the benefit of creditors;

23 (h) Eligible to be recorded as an "ancient deed" pursuant to  
24 R.S.46:16-7;

25 (i) Acknowledged or proved on or before July 3, 1968;

26 (j) Between husband and wife, or parent and child;

27 (k) Conveying a cemetery lot or plot;

28 (l) In specific performance of a final judgment;

29 (m) Releasing a right of reversion;

30 (n) Previously recorded in another county and full realty transfer  
31 fee paid or accounted for, as evidenced by written instrument,  
32 attested by the grantee and acknowledged by the county recording  
33 officer of the county of such prior recording, specifying the county,  
34 book, page, date of prior recording, and amount of realty transfer  
35 fee previously paid;

36 (o) By an executor or administrator of a decedent to a devisee or  
37 heir to effect distribution of the decedent's estate in accordance with  
38 the provision of the decedent's will or the intestate laws of this  
39 State;

40 (p) Recorded within 90 days following the entry of a divorce  
41 decree which dissolves the marriage between the grantor and  
42 grantee;

43 (q) Issued by a cooperative corporation, as part of a conversion

**EXPLANATION** – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SCU committee amendments adopted December 8, 2008.

1 of all of the assets of the cooperative corporation into a  
2 condominium, to a shareholder upon the surrender by the  
3 shareholder of all of the shareholder's stock in the cooperative  
4 corporation and the proprietary least entitling the shareholder to  
5 exclusive occupancy of a portion of the property owned by the  
6 corporation; <sup>1</sup>[and]<sup>1</sup>

7 (r) By a member of the New Jersey National Guard or a New  
8 Jersey resident serving in the U.S. Armed Forces Reserve  
9 components, recording a transfer of the primary residence of the  
10 member within 90 days prior to being called to active duty<sup>1</sup>; and

11 (s) By the surviving spouse of a resident of the State of New  
12 Jersey who was a member of the Armed Forces of the United States  
13 and died while on active duty participating in Operation "Iraqi  
14 Freedom" or Operation "Enduring Freedom" as defined by  
15 subsection a. of section 1 of P.L.1963,c.171 (C.54:4-8.10)<sup>1</sup>.

16 (cf: P.L.1999, c.357, s.1)

17

18 2. This act shall take effect immediately and apply to transfers  
19 of real property occurring on or after January 1, 2002.